



**City of  
Wenatchee**

**DEPARTMENT OF COMMUNITY AND ECONOMIC  
DEVELOPMENT**

Public Services Center

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**NOTICE OF FINAL DECISION  
SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT #SP-14-03**

An application has been made by the Chelan County Public Utility District #1 (Chelan PUD) at 1351 Walla Walla Avenue, Wenatchee, WA 98801 for a Shoreline Substantial Development Permit. The proposal is for a shoreline stabilization project on the Columbia River that will consist of installing two shoreline stabilization measures and a stream barb (fish groin) to reduce the potential for erosion during high water events above the ordinary high water mark (OHWM).

The two shoreline stabilization measures applied to this project include: fiber roll and live stake installation, and base rock with geotextile bag and live stake installation. The fiber roll and live stake installation will be completed as stated in the JARPA: "In areas where existing turf slopes are 3:1 (horizontal: vertical) or less, a 12-in diameter fiber roll (coir or coconut log bound with coir netting) will be placed at the OHWM/base of slope with the top of the log flush with the OHWM. These logs will be secured with dead stout stakes to the ground. Existing vegetation (including shrubs, turf and non-native trees) will be removed in the shoreline stabilization area allowing the installation of jute mesh over hydroseeding and straw. Live stake plantings of various native species will be installed at 3-ft on center triangular spacing. With the exception of the fiber roll installation, all work associated with this stabilization measure will be completed above the OHWM".

The base rock and geotextile bag and live stake installation will occur as stated in the JARPA: "In areas with bank slopes steeper than 2:1, 24-in to 36-in base rocks will be placed with the top of rock elevation and waterward face of the rock aligning with the OHWM. These base rocks will be bedded on a 6-in depth of angular crushed rock and screened with  $\pm 5$ -ft width of 12-in minus streambed cobble and sediment matching the existing river bed contour. The existing bank above the base rock will be laid back to accommodate topsoil backfill with live stake plantings and geotextile bags to achieve a 2:1 max slope. The geotextile bags will be covered by jute mesh over hydroseeding and straw. Live stake plantings of various native species will be installed at 2.5-ft on center triangular spacing. Excavation and fill below the OHWM will be completed to allow streambed cobble and sediment installation waterward of the base rock".

Another component of the project will be to remove existing concrete debris from the river bank and below the OHWM to accommodate the shoreline stabilization measures and fish groin installation. The fish groin will reduce erosion potential on the shoreline stabilization area, maintain pre-construction flow dynamics and provide a more natural slow water velocity habitat for fish. As stated in the JARPA: "The fish groin will consist of 24-in to 36-in streambed boulder bedded on 6-in depth of angular crushed rock and screened with  $\pm 1$ -ft depth of 10-in minus streambed cobble and sediment. Total cross

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sectional width of the groin will be 26-ft, elevated a maximum of 30-in above the existing river bottom. The total length of the groin will be  $\pm 125$ -ft, extending  $\pm 90$ -ft from the river bank/OHWM at its furthest point, angled 45° upstream. The top elevation of the groin where it keys back into the river bank will match the OHWM elevation and slope downward to the end of the groin where it will be approximately 3.5-ft below OHWM elevation. The 24-in to 36-in streambed boulders will be embedded +30-inch into the river bed. The river bottom surrounding the fish groin will be graded at the end of construction to match preconstruction/designed conditions".

Detailed project plans and site plans can be found in the JARPA application and accompanying materials.

The project site is located along the Columbia River within a portion of Section 34, Township 23 North, Range 20 East, W.M. more particularly described as 1187 Walla Walla Avenue and identified as Assessor's Parcel Numbers: 232034240100 and 232034857065.

The State Environmental Policy Act, the Shoreline Management Program, the Wenatchee Zoning Code, the Wenatchee Comprehensive Plan, and pertinent sections of the Washington State Administrative Code have been reviewed in preparation for reaching a decision on this application. It is the conclusion of the Shoreline Administrator that the application meets the requirements, goals and policies of the aforementioned rules and thereby approves Substantial Development Permit # SP-14-03 based on the following findings of fact, conclusions of law, and conditions of approval.

### **FINDINGS OF FACT:**

1. The applicant and land owner is the Chelan County Public Utility District #1 (Chelan PUD).
2. The project site is located at 1187 Walla Walla Avenue, identified as Assessor's Parcel Numbers: 232034240100 and 232034857065.
3. The Columbia River is defined by WAC 173.18.080 as a "shoreline of statewide significance" where the Shoreline Management Act of 1971, as amended is applicable.
4. A Shoreline Substantial Development Permit is required for any substantial development as defined by RCW 90.58.030(3)(e) occurring within 200 feet of the ordinary high water mark of the Columbia River or its associated wetlands and/or floodplains.
5. This application proposes a non-exempt development under WAC 173-27-040 (2).
6. WAC 173-27-150 establishes minimum review criteria for shoreline substantial development permits. This criteria state that a substantial development permit shall be granted only when the development proposed is consistent with the policies and procedures of the act; the provisions of this regulation; and the applicable master program adopted or approved for the area.
7. The location of the shoreline stabilization will be installed at the ordinary high water mark OHWM. The debris removal and installation of the fish groin will occur below the OHWM.
8. The subject properties are currently used as park.
9. This project is to install shoreline stabilization measures to a portion of the shoreline where the bank has become unstable due to erosion created by wave action, river level fluctuations, and elevated flows of the Columbia River.
10. The Comprehensive Plan Designation is Waterfront Mixed Use.
11. The subject properties are within the Waterfront Mixed Use Zoning District which permits managed open space including parks.
12. The Wenatchee Shoreline Master Program indicates the subject properties are in an Urban Shoreline Environment.
13. A wetland delineation report was prepared by McMillen, LLC on July 14, 2014 concluded that no wetlands were observed within the survey area which corresponds to with the project area identified by the applicant.
14. A Habitat Management and Mitigation Plan was prepared by McMillen, LLC on September 5, 2014 states that impacts from construction activities will be mitigated by implementing conservation measures and utilizing best management practices (BMPs). Long-term impacts to the project area will be mitigated by removing concrete debris and replanting native vegetation at a 2.5:1 ratio.
15. Recreation, as defined by the current Shoreline Master Program adopted in 1975, is the refreshment of mind and body through relaxation, amusement, and play.
16. The following Goals are applicable to the proposed application:
  - a. Recreation Element
  - b. Shoreline Use Element
  - c. Historical/Cultural Element
  - d. Rehabilitation Element

17. The following Policies are applicable to the proposed application:
  - a. Policy 10 Shoreline Works and Structures
  - b. Policy 16 Archaeological Areas and Historic Sites
  - c. Policy 17 Recreation
18. The Wenatchee Shoreline Management Program provides regulations for projects. The following Sections are applicable to this application:
  - a. Section 10 General Shoreline Use Activity
  - b. Section 21 Shoreline Works and Structures
  - c. Section 27 Archaeological Areas and Historic Sites
  - d. Section 28 Recreation
19. The lead agency for SEPA was the Chelan PUD; environmental review was completed and a DNS was issued on October 22, 2014.
20. Appropriate notice was mailed to surrounding property owners on November 18, 2014.
21. Appropriate notice was sent to agencies with jurisdiction on November 18, 2014.
22. Appropriate notice was published in the Wenatchee World on November 18 and 25, 2014.
23. The agency and public comment period for this application concluded on December 25, 2014.
24. No public comments were received for this application.
25. The WA Department of Natural Resources provided comment via email on December 4, 2014.
26. The Wenatchee Shoreline Master Program (WAC 173.19.120) Section 30.4 authorizes the Administrative Authority to approve, conditionally approve or deny applications for Substantial Development Permits under certain specific conditions.

#### **CONCLUSIONS:**

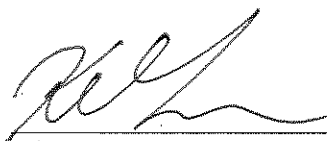
1. This application proposes development of a value and nature and is in a location that requires a Shoreline Substantial Development Permit.
2. The procedural and regulatory circumstance represented by this application empowers the Shoreline Administrator to assume jurisdiction to act on this request.
3. The Administrative Authority concludes that this proposal, completed as proposed, would be consistent with the Wenatchee Shoreline Management Program.
4. The approval of the Substantial Development Permit is consistent with and furthers the purpose, intent, goals and policies of the Shoreline Management Act of 1971, as amended.
5. This application is consistent with the intent and requirements of Wenatchee City Code, Title 10 Zoning, as amended and does not require the issuance of a conditional use permit or a variance.
6. As conditioned, the application is consistent with the goals and policies of the Wenatchee Urban Area Comprehensive Plan.
7. Public interests will be served by approval of this proposal.

8. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.
9. With respect to the State Environmental Policy Act of 1971, as amended, a threshold determination of environmental non-significance was issued for this proposal on October 22, 2014 by the Chelan PUD.

**CONDITIONS:**

1. The project shall be completed in substantial conformance with the JARPA application and associated materials of record on file with the City of Wenatchee and attached to this decision.
2. Prior to commencement work on this project, the applicant shall obtain all necessary permits from agencies with jurisdiction. This may include, but is not limited to: the Washington State Department of Fish and Wildlife (Hydraulic Project Approval), the United States Army Corps of Engineers Regulatory Branch (Section 10 &/or 404) the Washington State Department of Ecology (Section 401 Water Quality Certification), and Washington State Department of Natural Resources Aquatic Use Authorization.
3. Where a condition imposed herein may be found inconsistent with the requirements of the Washington State Department of Fish and Wildlife, HPA Permit, or permitting issued by the United States Army Corps of Engineers, the City of Wenatchee Shoreline Administrator shall have discretion to allow for project redesign consistent with the approvals granted by said agencies; if the redesign can be found consistent with the City of Wenatchee Code, the Shoreline Master Program, and the Shoreline Management Act.
4. The applicant shall comply with the requirements addressed in the comments received from WA Department of Natural Resources to include: clean, river substrate materials and "fish friendly" gravel mix used for installation of the fish groin; a fisheries biologist/technician is present for successful implementation of fish exclusion or survey activities to safely herd fish and other free floating aquatic life away from the project area; applicable activities need to abide by the in-water work window as recommended by WA Department of Fish and Wildlife and federal guidelines; and upon completion of the project an annual report for the first three years submitted on the structures' performance, including observational notes of fish utilization of the fish groin and associated gravels along the affected Walla Walla Point Park river reach.
5. Prior to entering the project area, all equipment shall be checked for leaks and cleaned free of any external petroleum products, hydraulic fluid, machinery coolant, dirt, weeds both aquatic and terrestrial, weed seeds, and/or any other deleterious materials.
6. A copy of this permit and attached conditions shall be kept on-site and provided to the contractor and all others working within the shoreline area at all times. The applicant, contractor, machinery operators and all others working within the shoreline area shall have read this permit and attached conditions and shall follow its conditions at all times.
7. All plantings identified in the attached application materials shall be maintained.

8. Changes or alterations to the approved plan are not authorized. All changes or alterations to the approved project shall be reviewed and approved by the City of Wenatchee and all agencies with jurisdiction prior to commencement of any related work.
9. In the event of that unforeseen factors necessitate rapid action to retrieve or preserve artifacts or data; Identified under Section 27.1 above, the project should be eligible for an emergency permit under the Wenatchee Shoreline Master Program.
10. Developers shall stop work and notify local governments and the appropriate state and federal agencies of any possible archaeological data uncovered during excavations.
11. Should any archaeological resources be discovered during grading/construction, all work that would affect the discovered resources must be stopped until the proper authorities have been notified and appropriate steps have been taken to protect the resources in accordance with the applicable laws and protocol.
12. The applicant shall comply with all applicable local, state and federal regulations and the applicant is responsible for securing any and all state and federal agency permits, as may be required.
13. This decision may be appealed, by applicants or parties of record, to the hearing examiner as provided for in WCC 13.11.030.



Kirsten Larsen  
Shoreline Administrator

12/30/2014  
Date

An appeal by an aggrieved applicant must be filed with the State Shorelines Hearing Board within thirty (30) days of the applicant's receipt of the final order. Copies of the appeal must also be filed with the Department of Ecology, the Attorney General, and the Administrative Authority.

All other appeals of the granting, denial, or rescinding of a Permit on a Shoreline of the State must be filed with the State Shorelines Hearing Board within thirty (30) days of the issuance of the final order. Copies must also be filed with the Department of Ecology and the State Attorney General's Office.